

EDWARD J. MARKEY
7TH DISTRICT, MASSACHUSETTS

ENERGY AND COMMERCE COMMITTEE

RANKING MEMBER
SUBCOMMITTEE ON
TELECOMMUNICATIONS AND
THE INTERNET

SELECT COMMITTEE ON
HOMELAND SECURITY

RESOURCES COMMITTEE

Congress of the United States
House of Representatives
Washington, DC 20515-2107

2108 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-2107
(202) 225-2836

DISTRICT OFFICES:

5 HIGH STREET, SUITE 101
MEDFORD, MA 02155
(781) 396-2900

188 CONCORD STREET, SUITE 102
FRAMINGHAM, MA 01702
(508) 875-2900
www.house.gov/markey

**Co-sponsor H.R. 4366, the “Personal Data Offshoring
Protection Act”**

July 21, 2004

Dear Colleague:

It is becoming increasingly clear that both our jobs and our privacy are being shipped offshore, and federal regulators aren't doing nearly enough to stop it. By their inaction, federal regulators are essentially telling consumers to 'check your privacy at the water's edge.'

Recently, I introduced H.R. 4366, the Personal Data Offshoring Protection Act of 2004, to stop this dangerous trend from continuing. The bill would prohibit companies from transferring personal information to any person outside the United States without proper notice and consent. Specifically, the Personal Data Offshoring Protection Act of 2004:

- Requires any business enterprise that transfers personally identifiable information regarding a U.S. citizen, such as the citizen's name, address, financial information, medical records, or other personal information to first provide prior notice to the citizen;
- Requires such businesses to allow consumers to block (or “opt out”) of information transfers to any countries that the Federal Trade Commission (“FTC”) has determined provide adequate and enforceable privacy protections, such as the European Union (EU);
- Requires such businesses to obtain the prior consent of the consumer (or “opt in”) before personal data can be sent to other countries that the FTC determines do not provide adequate and enforceable privacy protections;

The bill provides for enforcement by the Federal Trade Commission, states attorneys general, or the individual harmed by the privacy violation.

If you would like to cosponsor this bill, or would like further information, please contact Jeff Duncan of my staff at 225-2836.

Sincerely,


Ed Markey